

REMARKS

Applicants have studied the Office Action dated December 27, 2002. It is submitted that the application is in condition for allowance. Claims 1-16 are pending. Reconsideration and allowance of the claims in view of the following remarks are respectfully requested.

Claims 1-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by Crandall et al. (U.S. Patent No. 6,321,228). This rejection is respectfully traversed.

Applicants are filing a Declaration under 37 C.F.R. § 1.131 (see Attachments) to establish that the invention claimed in the present application was reduced to writing in the United States prior to August 31, 1999. Thus, the invention claimed in the present application was invented prior to August 31, 1999. The Crandall reference cited by the Examiner was filed in the U.S. Patent and Trademark Office on August 31, 1999, which is after the invention claimed in the present application was invented. Therefore, Crandall cannot properly be cited against the present application as a prior art reference in a rejection under 35 U.S.C. § 102(e). Therefore, it is respectfully submitted that the rejection of claims 1-16 under 35 U.S.C. § 102(e) should be withdrawn.

In view of the foregoing, it is respectfully submitted that the application and the claims are in condition for allowance. Reexamination and reconsideration of the application are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is invited to call the undersigned attorney at (561) 989-9811 should the Examiner believe a telephone interview would advance the prosecution of the application.

Respectfully submitted,

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